

Message Text

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ACTION L-03

INFO OCT-01 IO-13 ISO-00 PM-04 DHA-02 ACDA-07 DPW-01

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TAGS: ICRC, PARM, PFOR

SUBJECT: DIPLOMATIC CONFERENCE ON INTERNATIONAL HUMANITARIAN LAW

- WEEKLY REPORT - APRIL 18-22

1. SUMMARY. ARTICLE 42 ADOPTED IN COMMITTEE III PLENARY AND A NEW ARTICLE ON MERCENARIES ADOPTED IN WORKING GROUP. WORKING GROUP A OF COMMITTEE I COMPLETES WORK. COMMITTEE II MAKES STEADY PROGRESS. AD HOC MORE ACTIVE THAN ANTICIPATED. END SUMMARY.

2. WORKING GROUP A OF COMMITTEE I ADOPTED TWO ARTICLES AND COMPLETED ITS WORK. US-SPONSORED ARTICLE 76 BIS (DUTY OF COMMANDERS) ADOPTED WITH WIDE SUPPORT, IN PARTICULAR FROM ARAB GROUP. ARTICLE 79 (MUTUAL ASSISTANCE IN CRIMINAL MATTERS) ADOPTED WITH BROAD COMPROMISE REFERENCES TO EXTRADITION. ATTEMPT TO DELETE ARTICLE 78 (EXTRADITION) BY CONSENSUS RESISTED ONLY BY FRANCE, FRG, AND SPAIN. SHORTENED AND WIDELY RESISTED TEXT SENT TO COMMITTEE. ARTICLE 77 (SUPERIOR ORDERS) SENT TO COMMITTEE

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WITHOUT CONSENSUS, AND TREND IS TO DELETE ARTICLE. WORKING GROUP B CONTINUES WORK ON ARTICLE 74 BIS (REPRISALS), WHICH RECEIVED BETTER SUPPORT THAN ANTICIPATED BUT WIDE OPPOSITION. WORK COMMENCED ON INQUIRY COMMISSION.

3. COMMITTEE II. SLOW BUT STEADY PROGRESS WAS MADE IN THE RESOLUTION OF DIFFERENCES CONCERNING CIVIL DEFENSE TASKS WHICH ARE TO

BE PROTECTED FUNCTIONS OF CIVIL DEFENSE. WORKING GROUP A (CIVIL DEFENSE) HAS BEEN SUCCESSFUL IN ARRIVING AT SATISFACTORY COMPROMISE SOLUTION TO PROBLEMS WHICH SEEMED INSOLUBLE DURING THE SECOND SESSION. IF THIS SPIRIT CONTINUES, THE COMMITTEE SHOULD BE ABLE TO ADOPT A CIVIL DEFENSE CHAPTER WITHIN THE NEXT TWO WEEKS. SEVERAL DELEGATIONS HAVE PROPOSED SUBSTITUTION OF THE INTERNATIONAL CIVIL DEFENSE ORGANIZATION EMBLEM (TWO DIAGONAL RED STRIPES ON A YELLOW GROUND) FOR THE BLUE TRIANGLE ON AN ORANGE GROUND AS THE DISTINCTIVE SIGN OF CIVIL DEFENSE. THIS ISSUE CAN NOT BE RESOLVED BY CONSENSUS AND WILL REQUIRE A VOTE. THE WORKING GROUP ON RELIEF HAS FINISHED ITS WORK ON ART. 60 (FIELD OF APPLICATION) AND 61 (BASIC NEEDS IN OCCUPIED TERRITORY). IT HAS ALSO COMPLETED WORK ON PROCEDURAL PROVISIONS OF ART. 62 (RELIEF ACTIONS). A SUB GROUP WORKING ON RIGHTS AND OBLIGATIONS OF PERSONNEL PERFORMING RELIEF ACTIONS. BASIC UNRESOLVED ISSUE ON RELIEF ACTION IS WHETHER THE PROVISIONS ARE TO BE OBLIGATORY OR PERMISSIVE, WITH EAST BLOC SUPPORTING VAGUE NONOBLIGATORY PROVISIONS. A SUB WORKING GROUP MAY REACH AN ACCOMMODATION SHORTLY AS SOVIETS APPEAR TO BE SOFTENING INITIAL HARD LINE.

4. ARTICLE 42 (NEW CATEGORY OF PRISONERS OF WAR) WAS ADOPTED IN COMMITTEE III TODAY BY A VOTE OF 66 FOR (US) AND 2 AGAINST (BRAZIL AND ISRAEL), AND 18 ABSTENTIONS. TEXT IS IDENTICAL TO WORKING GROUP PROPOSAL OF LAST YEAR. COMMITTEE III WORKING GROUP FORWARDED FOR COMMITTEE ACTION A NEW ARTICLE ON MERCENARIES THAT IS LIKELY TO BE ADOPTED BY CONSENSUS (SEE SEPTEL). ARTICLES 65, FUNDAMENTAL GUARANTEES; 66, OBJECTS INDISPENSABLE TO THE SURVIVAL OF THE CIVILIAN POPULATION; AND 67, PROTECTION OF WOMEN, DEBATED IN WORKING GROUP WITH SURPRIS- LIMITED OFFICIAL USE

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ING STRONG OPPOSITION FROM EASTERN BLOC TO INCLUDING A PARTY'S OWN NATIONALS IN ARTICLE 65.

5. AD HOC COMMITTEE MORE ACTIVE THAN WE HAD ANTICIPATED. A TEN COUNTRY SESSION WAS CONVENED BY CHAIRMAN TO DISCUSS ORGANIZATIONAL MATTERS. LENGTHY ORGANIZATIONAL MEETING OF THE AD HOC

COMMITTEE HELD AND FINALLY A SHORT MEETING TO INTRODUCE NEW PROPOSALS. A WORKING GROUP HAS BEEN ESTABLISHED TO BE CHAIRED BY JOHN TAYLOR (UK), AND A MANDATE FOR THE WORKING GROUP AGREED UPON AFTER LONG DEBATE. A NEW PROPOSAL ON INCENDIARIES INTRODUCED BY INDONESIA AND A NEW PROPOSAL ON MINES AND BOOBY TRAPS BY MEXICO (SEPTEL). NEXT MEETING TUESDAY 26 APRIL TO DISCUSS NON-DETECTABLE FRAGMENTS AND BEGIN WORK ON LAND MINES. A NEW DRAFT ARTICLE 86 BIS HAS BEEN CIRCULATED BY MEXICO (SEPTEL). PROPOSING A PERMANENT COMMITTEE FOR CONSIDERING WEAPONS ISSUES. SORENSON

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